

REMARKS / ARGUMENTS

This amendment is submitted in full response to the outstanding office action dated December 14, 2004 wherein claims 1-5, 7-12, 16, 17, 19-37, 39, 40, 42-46 and 48 stand rejected under 35 U.S.C. 102(b) as being anticipated by Snoke et al. (U.S. Patent No. 5,797,670). In addition, claims 1-4 and 39 stand rejected under 35 U.S.C. 102(e) as being anticipated by Navid et al. (U.S. patent application No. 2002/0105797). However, the Examiner specifically states the claims 6, 14, 18, 38, 41 and 47 stand objected to only, as being dependent upon a rejected base claim. It is further stated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Without addressing the substantive issues of the above noted, outstanding rejections, Applicant has amended original independent claims 1 and 39 to include recitation which the Examiner recognizes as allowable subject matter. In addition, newly submitted independent claims 49, 50 and 51 represent the subject matter of specific independent claims which the Examiner has found to be objectionable only, but would otherwise be allowable.

More specifically, original, independent claim 1 has been amended to include the allowable subject matter of original dependent claim 6 plus the recitation of the intervening claims 4 and 5. Original independent claim 39 has been amended to include the allowable subject matter of claim 41.

Also, newly submitted independent claim 49 includes the recitation of base claim 1 plus the allowable subject matter of original dependent claim 14 and intervening claim 13. Newly submitted independent claim 50 includes the recitation of base claim 1 plus the allowable subject matter of dependent claim 18 and that of the claim 16. Finally, newly submitted independent claim 51 includes the recitation of original base claim 39 plus the allowable subject matter of dependent claim 47 and intervening claim 46.

Based on the amendment of the existing claims and submission of new independent claims, it is now believed that all of the claims still remaining in this application recite allowable subject matter recognized by the Examiner on page 8 of the outstanding office action.

Conclusion

Minor changes have been made to the specification in order to correct any inconsistencies and informalities in the language

thereof. Based on the above, it is now believed that this case is in condition and such action is respectfully requested.

In addition, a request for an appropriate extension of time is enclosed herewith along with the corresponding PTO fee. In the event that any additional fee may be required by the filing of this paper, the Commissioner is hereby authorized to charge any fees and/or credits to our Deposit Account No. 13-1227.

Respectfully Submitted,

MALLOY & MALLOY, P.A.
Attorneys for Applicant
2800 S.W. 3rd Avenue
Historic Coral Way
Miami, Florida 33129
(305) 858-8000

By: 

Peter A. Matos
Reg. No. 37,884

Date: 6/14/05